

**STATE OF RHODE ISLAND  
DEPARTMENT OF BUSINESS REGULATION  
CONTRACTORS' REGISTRATION AND LICENSING BOARD  
560 JEFFERSON BLVD., SUITE 100  
WARWICK, RI 02889**

_____	:	
IN THE MATTER OF:	:	
	:	
ADRIAN JIMENEZ, d/b/a	:	VIOLATION NO. 6902
NAUTILUS CONSTRUCTION	:	GC # 45913 (expired)
LLC,	:	
	:	
<i>Respondent.</i>	:	
_____	:	

**STIPULATION AND CONSENT ORDER**

**Procedural Background and Travel**

On or about July 16, 2024, Respondent was issued a Notice of Hearing (“NOH”) by the Department of Business Regulation’s State Building Office, which includes the Contractors’ Registration and Licensing Board (“CRLB” or “Board”). The NOH provided Respondent with written notice of the appointment of a Hearing Officer to conduct an Administrative Hearing to determine whether Respondent has violated any part of Chapter 5-65 of the Rhode Island General Laws (“Chapter 5-65”) and whether fines and/or relief should be ordered.

A pre-hearing conference was held on August 14, 2024, for this matter, which the Respondent did not attend, however, the Respondent thereafter contacted the CRLB and the Respondent and the CRLB (the “Parties”) reached an agreement to settle the matter without the need for hearing. This Stipulation and Consent Order confirms the stipulated facts in this matter and the agreed upon terms of said agreement, which are as follows:

**FACTS**

1. According to R.I. Gen. Laws § 5-65-1(7)(i)(a), a “Contractor” is someone who,  
  
in the pursuit of an independent business, undertakes or offers to undertake or submits a bid, or for compensation and with or without the intent to sell the structure constructs, alters, repairs, improves, moves over public highways, roads, or streets, or demolishes a structure or to perform any work in connection with the construction, alteration, repair, improvement, moving over public highways, roads, or streets, or

demolition of a structure, and the appurtenances thereto. For the purposes of this chapter, “appurtenances” includes, but is not limited to, the installation, alteration, or repair of wells connected to a structure consistent with chapter 13.2 of title 46, garage, carport, port, patio, decks, docks, sheds, tents, gazebos, walkways, fencing, driveways, retaining walls, swimming pools, sidewalks, stone/masonry walls, and parking lots.

2. Pursuant to R.I. Gen. Laws § 5-65-10, “[t]he board or office may revoke, suspend, or refuse to issue, reinstate or reissue a registration if the board or office determines, after notice and an opportunity for a hearing” that any of the following have occurred:
  - (1) That the registrant or applicant has violated § 5-65-3 or any other provision of this chapter or the regulations promulgated thereunder.  
.....
  - (10) The board or office may take disciplinary action against a contractor who performed work, or arranged to perform work, while the registration was suspended, invalidated, or revoked. Deposits received by a contractor and ordered returned are not considered a monetary award when no services or supplies have been received.
3. Pursuant to R.I. Gen. Laws §§ 5-65-3(o) and 5-65-18, all written contracts entered into between a contractor and a property owner must contain a statement that the contractor, subcontractors, or material persons may file a lien in accordance with the Rhode Island mechanics’ lien law, R.I. Gen. Laws § 34-28-4.1.
4. Pursuant to R.I. Gen. Laws § 5-65-3(p), contracts must contain a notice of right of rescission “as stipulated in all pertinent Rhode Island consumer protection laws and/or [R.I. Gen. Laws] § 5-65-27 . . . .”
5. Respondent Adrian Jimenez was a registered contractor with the Board, GC No. 45913, however, his registration expired June 25, 2023, and was not renewed.
6. On or about December 13, 2023, the Board received Complaint No. 23-479 (“C-23-479”) from the owner of 99 1<sup>st</sup> Avenue Apartment 1, Woonsocket, Rhode Island (the “Site”) regarding Respondent’s agreement to provide contractor services at the Site.
7. On or about August 6, 2023, Respondent entered a contract with the owner of the Site wherein the Respondent agreed to perform the type of work which requires a contractor’s registration pursuant to R.I. Gen. Laws § 5-65-1(7)(i).
8. On or about March 5, 2024, the CRLB issued a *Notice of Intent to Assess Civil Penalty and Opportunity for Hearing – Proposed Order* (“NOI”) for “V-6902” to the Respondent.

9. On or about March 27, 2024, the CRLB issued a *Final Order and Suspension of Registration* (“Final Order”) for V-6902 to the Respondent, wherein the Respondent was ordered to pay a fine of five hundred dollars (\$500) and cited for violating:
  - a. R.I. Gen. Laws § 5-65-10(a)(10), for performing work, or arranging to perform work, without a valid registration; and
  - b. R.I. Gen. Laws § 5-65-18, for failing to provide a mechanic’s lien notice.
10. On or about April 6, 2024, the Respondent submitted a Request for Appeal of the Final Order.
11. On or about July 16, 2024, Respondent was issued a Notice of Hearing (“NOH”) in response to the Respondent’s Request for Appeal of the Final Order.
12. The Respondent provided the Board with the full contract in C-23-479 and sufficiently demonstrated that the contract contains a mechanic’s lien notice in compliance with R.I. Gen. Laws §§ 5-65-3 and 34-38-4.
13. The Respondent does not currently work or seek to work as a contractor.

#### TERMS

14. The Respondent and the CRLB agree to resolve this matter based upon satisfaction of the following terms and conditions:
  - a. The Respondent Adrian Jimenez admits and acknowledges that he committed the following violations in relation to work performed at the Site:
    - i. R.I. Gen. Laws § 5-65-10(a)(10), for performing work, or arranging to perform work, without a valid registration.
  - b. Respondent agrees to pay an administrative penalty of two hundred and fifty dollars (\$250) originally issued in the Final Order for violating R.I. Gen. Laws § 5-65-10(a)(1) and shall deliver said payment upon signing of this Stipulation and Consent Order.
    - i. Respondent shall deliver the payment as follows:
      1. Respondent shall prepare the payment for delivery, via bank check, cashier’s check or money order,
      2. The bank check or money order shall be made payable to the Rhode Island General Treasurer, and
      3. The payment shall be delivered to the Contractors’ Registration and Licensing Board’s offices located at 560 Jefferson Boulevard

Warwick, RI 02889, concurrently upon signing this Consent Agreement.

- c. Respondent agrees that he will not work nor arrange to perform work as a contractor unless and until he has renewed his contractor's registration with the Board.
15. If the above terms are fully satisfied by Respondent, the Board shall consider this matter resolved, and Respondent agrees that the Board shall post this Stipulation and Consent Order to the Department's website under "Enforcement Actions."
16. The Respondent agrees that, in addition to the above, going forward, he/she shall abide by all other statutory and regulatory requirements as set forth in the laws governing contractors in the State of Rhode Island, R.I. Gen. Laws Chapter 5-65, as well as the CRLB's General Rules and Regulations for Applications, Registration, Licensing, Claims, Violations, and Administrative Hearings, 440-RICR-10-00-1, and the Rules and Regulations for Contractors, 440-RICR-10-00-2.
17. *Completeness.* The Board and the Respondent agree that the terms and conditions of this Stipulation and Consent Order represents the final determination of this matter.
18. *Waiver of Hearing and Appeal.* By agreeing to enter into this Stipulation and Consent Order, the Respondent knowingly and voluntarily waives any right to an administrative hearing and waives any right to any further appeals to the CRLB and the Superior Court under Chapter 5-65 and the Rhode Island Administrative Procedures Act, R.I. Gen. Laws Chapter 42-35.
19. *Opportunity to Obtain Counsel.* Respondent agrees that he has had an opportunity to retain legal counsel to represent him/her in connection with this matter, and that he/she fully understands and acknowledges all the terms contained within this Stipulation and Consent Order, and that he/she has signed this Stipulation and Consent Order knowingly and voluntarily.
20. *Public Record.* Once executed, this Stipulation and Consent Order shall be a public record under the Access to Public Records Act, R.I. Gen. Laws Chapter 38-2, and § 1.5(C) of 440-RICR-10-00-1.
21. *Compliance.* Compliance with the terms of this Stipulation and Consent Order does not relieve the Respondent of any obligations to comply with other applicable laws or regulations administered by or through the CRLB, the Department or any other governmental agency.

For the CRLB:

Signature: [Handwritten Signature]

Date: 9/12/24

Print Name: ANTHONY WHITFIELD

Title: CRLB, CHIEF

For the Respondent, Adrian Jimenez:

Signature: Adrian Jimenez

Date: 9/12/24

Print Name: Adrian Jimenez

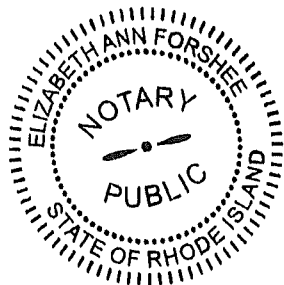
**NOTARIAL CERTIFICATE**

STATE OF RI  
COUNTY OF Kent

On this 12 day of September 2024, before me the undersigned notary public, personally appeared Adrian Jimenez, and proved to me through satisfactory evidence of identification to be the person whose name is signed above, and acknowledged that they signed it voluntarily for its stated purpose.

Elizabeth Ann Forshee  
Print Name and ID Number 759147  
Notary Public

My Commission Expires: 05/05/2028



So Ordered:

[Handwritten Signature]

Catherine R. Warren, Esq.  
Hearing Officer

Date: 9/12/24